

U.S. Patent Application Serial No. 10/797,559
Amendment filed December 27, 2005
Reply to OA dated September 29, 2005

AMENDMENT TO THE DRAWINGS:

The attached sheets of drawings include changes to Figs. 2 and 15 - 17. These sheets, which include Figs. 2 and 15 - 17, replace the original sheets including Figs. 2 and 15 - 17.

In Fig. 2, reference number 14 and the reference line thereof have been made clear.

Each of Figs. 15 - 17 have been labeled as "Prior Art".

U.S. Patent Application Serial No. 10/797,559
Amendment filed December 27, 2005
Reply to OA dated September 29, 2005

REMARKS

Claims 1 - 4 have been canceled, and claims 5 - 8 have been added in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. It is believed that this Amendment is fully responsive to the Office Action dated September 29, 2005.

The claims at issue in the outstanding Office Action are claims 1 - 4, which have been elected in the Response to Election of Species Requirement dated July 14, 2005.

Further, this patent application is now directed to the elected species a (Figures 1 - 6).

At the outset, the applicants thank the Examiner for now indicating that claims 2 and 3 contain allowable claimed subject matters, and would be allowable if amended in the manner suggested in item 12, page 6 of the outstanding Action.

It is the applicants' position however that to amend the claims in the manner suggested by the Examiner would unnecessarily limit or narrow the scope of the claims to which the applicants are entitled for the reasons more fully discussed below. In any event, the applicants have replaced

U.S. Patent Application Serial No. 10/797,559
Amendment filed December 27, 2005
Reply to OA dated September 29, 2005

allowable claims 2 and 3 with their added claims 6 and 7, respectively, in order to address the outstanding indefiniteness rejection under 35 USC §112, second paragraph, discussed below.

As requested in item 2, page 2 of the outstanding Action, the applicants submit herewith a certified copy of the Japanese Priority Application No. 2003-069322 filed in Japan on March 14, 2003 in order for the applicants to claim priority for the filing date of March 14, 2003.

As also requested in item 3, page 2 of the outstanding Action, the applicants file herewith an Information Disclosure Statement submitting a copy of the prior art reference cited in the specification for the Examiner's full consideration.

The drawings have been objected to for the reasons set forth in items 4 - 6, pages 2 - 4 of the outstanding Action. The applicants respectfully request reconsideration of these objections.

First, submitted herewith are replacement sheets for Figures 15 - 17 labeled as "Prior Art". Second, with respect to the Examiner's objection (item 5, page 3 of the outstanding Action) concerning reference number 115, the applicants submit that reference number 115 is referred to as a peripheral groove, as discussed in lines 12 - 13, page 2 of the applicants' original specification. Third, with respect to reference number 14 (as noted in item 6, page 3 of the outstanding Action), such reference number 14 is referred to as a supply passage in the sentence bridging pages 8 and 9

U.S. Patent Application Serial No. 10/797,559
Amendment filed December 27, 2005
Reply to OA dated September 29, 2005

of the applicants' specification. As such, the applicants' Figure 2 has been corrected so as to draw reference number 14 (and the reference line thereof), located on the right hand portion of the applicants' Figure 2.

In view of the above and the replacement sheets of corrected drawings submitted herewith, the withdrawal of the outstanding objections to the drawings is in order, and is therefore respectfully solicited.

Claim 1 has been objected to for the reason set forth in item 7, page 4 of the outstanding Action. Added claim 5, which substitutes for claim 1 avoids the informality noted by the Examiner. Accordingly, the withdrawal of the outstanding claim language objection is in order, and is therefore respectfully solicited.

Claims 1 - 4 stand rejected under 35 USC §112, second paragraph, for the specific reasons set forth in item 9, pages 4 and 5 of the outstanding Action. The applicants respectfully request reconsideration of this rejection.

Based on the applicants' cancellation of claims 1 - 4, the outstanding indefiniteness rejection is now moot. Claims 5 - 8 have been added in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention, and in order to correct the

U.S. Patent Application Serial No. 10/797,559
Amendment filed December 27, 2005
Reply to OA dated September 29, 2005

informalities noted by the Examiner with respect to the originally filed claims.

Accordingly, the withdrawal of the outstanding rejection under 35 USC §112, second paragraph, is in order, and is therefore respectfully solicited.

As to the merits of this case, claims 1 and 4 stand rejected under 35 USC §102(b) as being anticipated by Dester (U.S. Patent No. 5,288,143). The applicants respectfully request reconsideration of this rejection.

Dester is concerned with a track roller assembly having a replaceable flange, the track roller mounted onto a shaft 14 having end portions 22, 24, the end portions having reduced sizes or diameters relative to the middle portion of the shaft 14.

Although Dester's shaft has the reduced end portions 22, 24 (as shown in Dester's Figure 1 and Dester's cross-sectional illustration (in Figure 7) shows what appears to a reduced diameter for the middle portion of the shaft 14 for providing grooves, Dester is not concerned with the recognition that a vertical direction, along the vertical length of a connection portion [12] that joins upper and lower portions [10, 11] of a middle portion [4] of a shaft [1], is effective in reducing the weight of the shaft and for allowing the ease in manufacturing such shaft, as in the applicants' invention.

U.S. Patent Application Serial No. 10/797,559
Amendment filed December 27, 2005
Reply to OA dated September 29, 2005

Accordingly, the applicants have highlighted in added independent claim 5 that the claimed shaft includes a “middle portion having a connection portion that extends along a diametrical direction of the shaft and further having recess portions on sides thereof.” Claim 5 now further recites that “the [claimed] shaft receives a load from the roller toward the diametrical direction of the shaft.”

Accordingly, the withdrawal of the outstanding anticipation rejection under 35 USC §102(b) as being anticipated by Dester (U.S. Patent No. 5,288,143) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

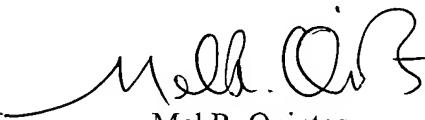
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants’ undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/797,559
Amendment filed December 27, 2005
Reply to OA dated September 29, 2005

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Mel R. Quintos
Attorney for Applicants
Reg. No. 31,898

MRQ/lrj/ ipc

Atty. Docket No. 040114
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosures: Replacement Sheets of Drawings (Figs. 2 and 15-17)
Information Disclosure Statement
Claim for Priority No. 2003-069322

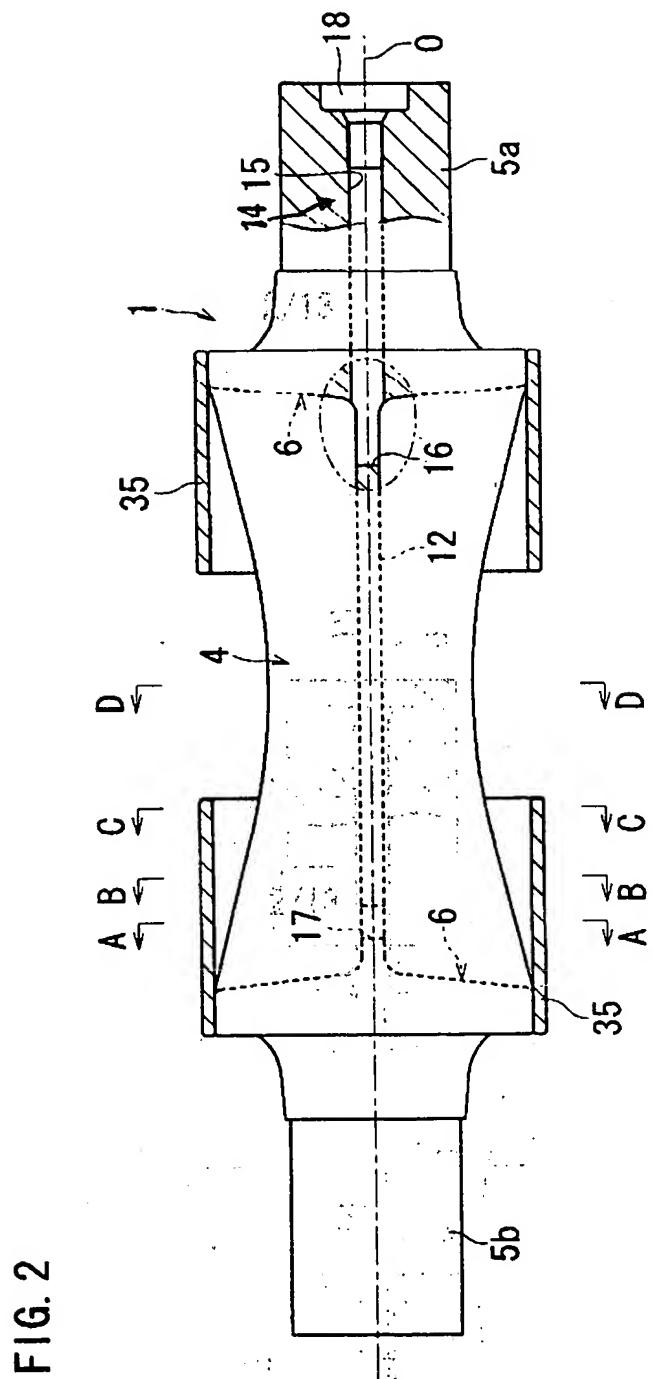
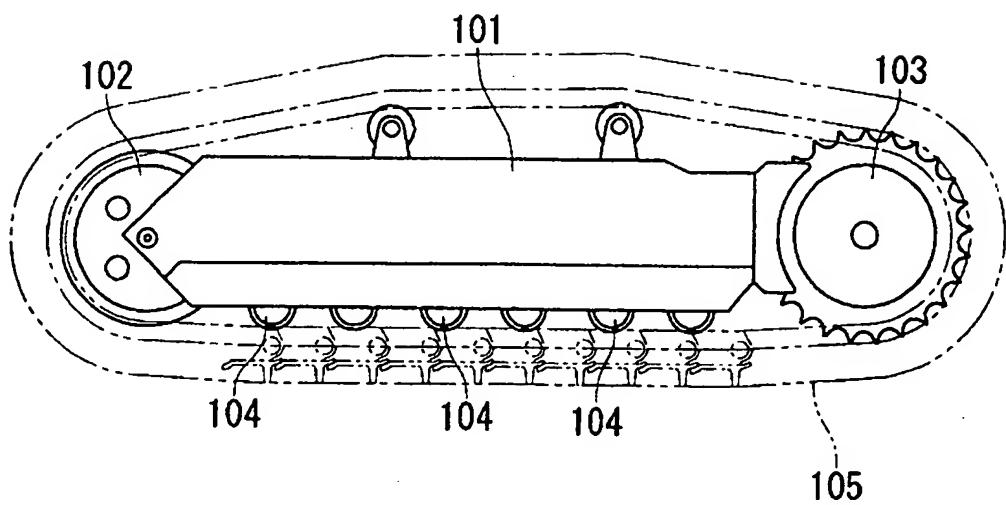


FIG. 2

11/13

FIG. 15 PRIOR ART



PRIOR ART

FIG. 16

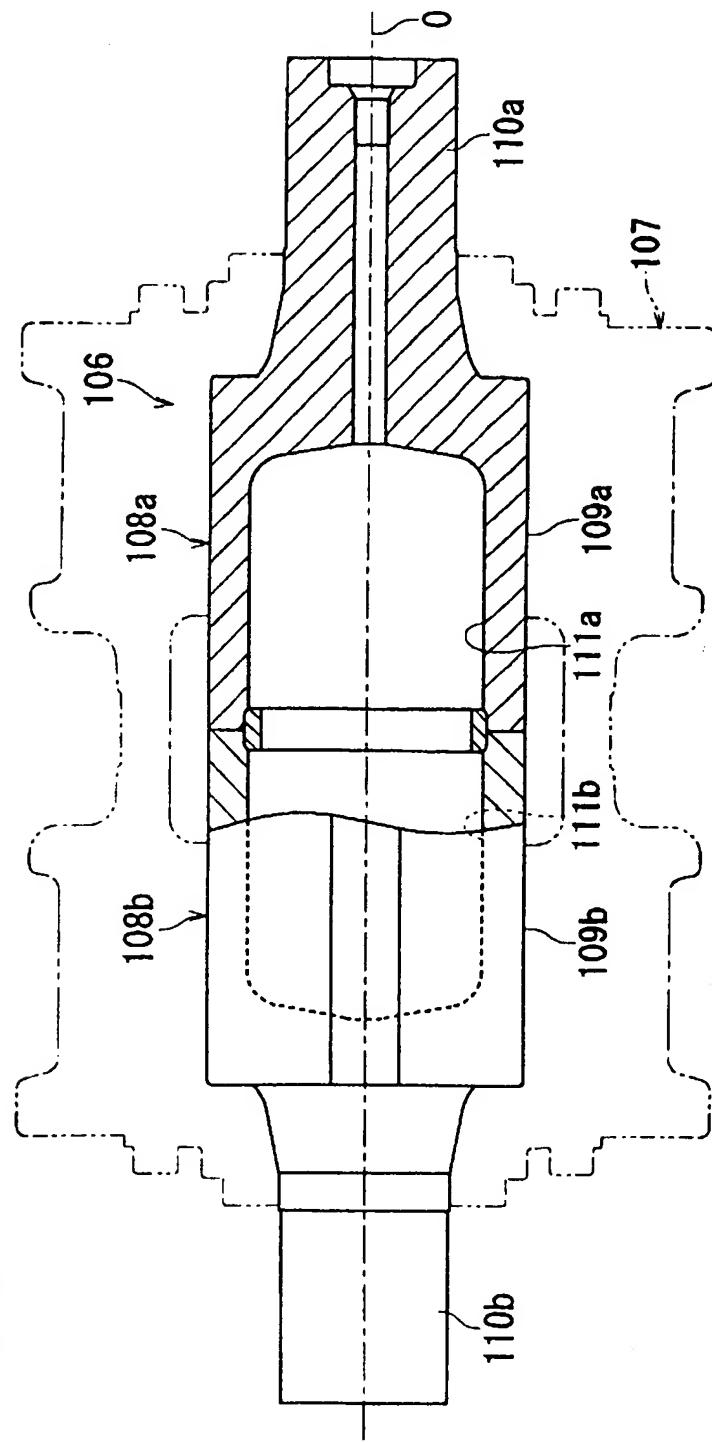


FIG. 17
PRIOR ART

